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If such a motion is agreed to, the Bill shall be deemed to have been introduced.

As soon as may be after leave to introduce a Bill has been granted, the Bill shall be published in the Gazette.

No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member in charge of the Bill and no motion that a Bill be referred to a Select Committee or be circulated or recirculated for the purpose of eliciting opinion thereon shall be made by any member other than the member in charge except by way of amendment to a motion made by the member in charge.'

So the position is that if a Member wants to introduce a Bill, it is left to him to explain the Bill. It is not incumbent on the President or the office to supply copies to the Members at this stage. Afterwards, the Bill will be published in the Gazette and there will be discussion.

' *At any time after the expiry of six days from the publication of a Bill in the Gazette, the member in charge of the Bill may make one of the following motions in regard to his Bill, namely :—*

(a) *that it be taken into consideration by the Council either at once or at some future day to be then specified; or*

(b) *that it be referred to a Select Committee of the Chamber; or*

(c) *that it be circulated for the purpose of eliciting public opinion thereon.*

On such motion, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle.'

So discussion is not needed now."

The motion for leave to introduce was put and carried.

(2) THE MADRAS WAKFS BILL, 1947.

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" I move for leave to introduce the Madras Wakfs Bill, 1947.

" It is with the greatest regret that one notes that the wakfs in the Province of Madras have generally been mismanaged and their income sometimes misappropriated. The wakf property in many instances has been alienated or adversely held by trespassers or has been subjected to long drawn and wasteful litigation. The selfish and self-centred Muthawallis do not generally maintain even an apology of an account of the receipts and disbursements in respect of the wakfs in their charge. Although the enactments in force regarding the Muslim wakfs cast a responsibility on the

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Muthawalli to keep a true and faithful account of such receipts and disbursements, yet they do not provide for a proper machinery to enforce the duties cast on the Muthawallis. It may be said, without fear of contradiction, that in many cases, wakfs property has unfortunately come to be treated as alienable and heritable private property of the Muthawalli.

"The Bill seeks to remedy these defects by the establishment of a Board which is to be an elected one representing all kinds of interests. The Bill provides for the requisition of wakfs (section 32). Every Muthawalli is obliged to submit audited statement of accounts of the wakfs in his charge to the Board for scrutiny (section 36) and all sums found to be due, on any account whatever are made recoverable as a public demand (section 39). Even the wakf-al-aulad is brought under the supervision of the Board though not in the manner as a public wakf. The Board is authorized to remove and appoint Muthawallis (sections 61 and 29). The Durghas and makbiras as defined in the Bill brought under the supervision and control of the Board (sections 46 and 47). The Act seeks to create a wakf fund (section 49) which may be applied, amongst other things, for the maintenance of schools, hospitals, rest-houses, etc. (section 50). The Board in its turn is subject to the supervision of the Local Government sections 52 to 54). Procedure in respect of Judicial proceedings is provided for in sections 56 to 64.

"The Bill does not, however, interfere with the succession of Muthawallis except in the case of the Prince of Arcot's Endowments. The Prince of Arcot Endowments have, ever since the passing of Madras Act II of 1923, been governed by the said Act. This 1923 Act which shuts out the jurisdiction of Courts and bars all suits against the Muthawalli is rightly sought to be repealed. These endowments having been created by the Nawabs in their capacities as Nawabs, no one child has superior claims to the management thereof. In the circumstances the management of these wakfs is sought to be vested in a representative body as provided for in section 76. The Act contains special provisions in respect of the Prince of Arcot's Endowments in sections 76 to 80."

THE HON. DR. T. S. S. RAJAN :—"The Government have no objection."

The motion for leave to introduce was put and carried.

B. RESOLUTIONS.

(1) CONSIDERATION OF THE DRAFT INDIAN CONSTITUTION BILL BY THE PROVINCIAL LEGISLATURE—*cont.*

*DR. V. K. JOHN :—"Mr. President, Sir, Dr. Lakshmanaswami Mudaliyar commended the resolution in an eloquent and effective speech. He regretted that a nominated member had to move the resolution. I should like to mention that there is no difference at all from a constitutional point of view between an elected member and a nominated member. The only way of getting into the Council is by either election or nomination. All